THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.28063 of 2007

Between:

Virupakshi Siddamma and another.

.. PETITIONERS

and

The Government of A.P. and another.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.28063 of 2007

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ORDER:

The petitioners question the orders of the 2nd respondent in proceedings in Roc.Nos.A/614/2007, dated 31-08-2007, in cancelling DKT pattas granted in favour of V.Erraka, who is the mother of the 1st petitioner and B.Venkataswamy Reddy in respect of the lands admeasuring Ac.3-17 cents and Ac.0-72 cents in Sy.Nos.333/2B, 334/2B and 334/3A1 situated at Chandragiri Village and Mandal, Chittoor District.

It is stated that the said cancellation orders have been communicated to both the petitioners herein. It is stated that DKT patta holders or their legal heirs are entitled for compensation/ex-gratia in terms of G.O.Ms.No.1307, dated 23-12-1993. Further, as per the larger Bench judgment of this Court in ***LAO-cum-Revenue Divisional Officer, Chavella Division, Hyderabad Vs. Mekala Pandu***[1] the DKT patta holders or their legal heirs not only entitled for ex-gratia/compensation but also entitled for solatium, additional compensation and interest.

Anyhow, I am not inclined to consider those contentions as admittedly, the petitioners are not seeking any compensation, but they are aggrieved by the impugned orders, dated 31-08-2007, on the ground that the lands in question are not Government lands but they are patta lands inherited from their ancestors.

Admittedly, an appeal lies to the Revenue Divisional Officer against the said impugned orders, dated 31-08-2007. Therefore, I am of the opinion that it is just and proper to permit the petitioners to file an appeal before the Revenue Divisional Officer.

Having regard to the facts and circumstances of the case, the petitioners are permitted to file an appeal before the Revenue Divisional Officer within ten days from today against the orders of the Tahsildar in proceedings in Roc.Nos.A/614/07, dated 31-08-2007. If any such appeal is filed within ten days from today, status-quo obtaining as on today with regard to the possession of the lands in question shall be maintained.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

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28-12-2007

Note:

Issue C.C. by Monday

(B/o)

Prv

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[1] 2004 (2) ALD 451 (LB)